IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
FRIDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE K.C. BHANU
WRIT PETITION NO : 11127 of 2004

Between:

1 Somisetti Venkateswarlu s/o Narayana,
Age 35, Fitter.

2 Abdul Raheem, S/o.Mahabub Hussain,
Age 26, Fitter.

3 Kesaboina Venkanna, S/o.Venkatramulu,
Age 25, Helper.

4 Saik Sattar, S/o.Abzalmiya,
Age 33, Helper.

5 Mahamud Yousuf, S/o.Ameeruddin,
Age 26, Helper.

6 Badela Yousobu, S/o.Devadasu,
Age 26, Helper.

7 Kolli Kunta Kantha rao, S/o.Veeraiah,
Age 27, Helper.

(All the petitioners are contract labour under 33 abolished Category under G.O.Ms.No.41, dt. 23/09/96
R/o Seetharampatnam , Ploncha, Khammam District, working in kothagudem Thermal Power station, Paloncha, Khammam District).

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PETITIONERS

AND

1 The AP.Power Generation corporation Ltd.,

rep. by its Chairman and Managing Director,
Vidyutsoudha, Somajiguda, Hyderabad

2 The Chief Engineer(O&M) ,
Kothagudem Thermal power
Station, Paloncha,
Khamman District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not disposing of the appeal petition dt. 18/12/2003 filed by the petitioners aggrieved by the common letter/orders No.CE/O&M/KTPS/ADE/D.No.126/2003, dt. 19/11/2003 issued by the 2nd respondent rejecting the case of the petitioners for obsorption as arbitrary and illegal and violative of Article 14, and 21 of the constitution of India and consequently direct the 1st respondent to dispose of the appeal petition dt. 18/12/2003 filed by the petitioner seeking for absorption in the Employment of the respondent corporation and pass such other order or orders as may be just.

Counsel for the Petitioners: MR.G.CHANDRAIAH

Counsel for the Respondent Nos.1 & 2: SMT. K.SESHARAJYAM

The Court Made the Following :

ORDER:

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The grievance of the petitioner is that, he filed an appeal before the first respondent dated 18-12-2003, but, the first respondent has not passed any orders.

Both the counsel stated that the appeal is a statutory one and the same has to be disposed of by concerned authority in accordance with law. The prayer of the Writ Petitioner is only to dispose of the appeal pending with the first respondent dated 18-12-2003. Without entering into the merits, a direction can be given to the first respondent to dispose of the appeal of the petitioner dated 18-12-2003, within a period of two months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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02-07-2004

vs/ys

To

1 The Chairman and Managing Director,
AP.Power Generation corporation Ltd.,
Vidyutsoudha, Somajiguda, Hyderabad .

2 The Chief Engineer(O&M) ,
Kothagudem Thermal power
Station, Paloncha,
Khamman District.

3 Two CD copies.

4 One spare copy.

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 11127 of 2004

Dated: 02-07-2003